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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: FILZMOSER ET AL - 1 PCT

Group: 1652

PCT NO.: PCT/AT2003/000196

FILED: JULY 10, 2003

SERIAL NO.: 10/521,215

FILED: JANUARY 13, 2005

TITLE: A METHOD AND A DEVICE FOR PRODUCING A STAMP

**MAIL STOP AMENDMENT**

Commissioner of Patents

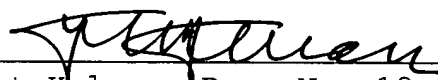
P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Enclosed please find a copy of the International Preliminary Examination Report.

Respectfully submitted,  
Franz FILZMOSER ET AL.

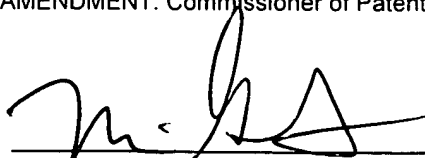
  
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Enclosure: International Preliminary Examination Report

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP AMENDMENT: Commissioner of Patents, Alexandria, VA 22313-1450, on August 23, 2005.

  
Maria Guastella

Translation

PATENT COOPERATION TREATY

PCT/AT2003/000196



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference R 41390	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/AT2003/000196	International filing date (day/month/year) 10 July 2003 (10.07.2003)	Priority date (day/month/year) 22 July 2002 (22.07.2002)
International Patent Classification (IPC) or national classification and IPC B41K 1/02, B41C 1/00		
Applicant COLOP STEMPELERZEUGUNG SKOPEK GESELLSCHAFT M.B.H. & CO. KG.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 3 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 17 February 2004 (17.02.2004)	Date of completion of this report 08 December 2004 (08.12.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/AT 03/00196

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

## 1. Statement

Novelty (N)	Claims	1-20	YES
	Claims		NO
Inventive step (IS)	Claims	1-14	YES
	Claims	15-20	NO
Industrial applicability (IA)	Claims	1-20	YES
	Claims		NO

## 2. Citations and explanations

1. US-A-5731033, which is cited in the description, discloses a method for producing a stamp or a printing plate with a surface containing the printing pattern, said surface being produced by applying a liquid, hardenable material to a base in layers.

The subject matter of claim 1 differs therefrom in that the liquid, hardenable material is applied in layers during the printing process.

Therefore, the subject matter of claim 1 is novel within the meaning of PCT Article 33(2).

The purpose of the features of claim 1 is to provide rapid and cost-effective production of stamps and printing plates, even for short production runs.

The searched documents do not, either alone or in combination, render the subject matter with the features of claim 1 obvious for the indicated purpose.

Consequently, claim 1 involves an inventive step

and, along with the advantageous developments of dependent claims 2-14, meets the requirements of PCT Article 33(1) to (4).

2. The present application does not meet the requirements of PCT Article 33(1), because the subject matter of claims 15-20 does not involve an inventive step within the meaning of PCT Article 33(3).

EP-A-0 426 363 (D1) discloses (cf. the references in the search report) a device for producing three-dimensional objects by means of a printing device (1) with a print head (2) with at least one nozzle (4) for layered printing, with a resolution of up to 0.25 mm (cf. column 4, lines 26-36), on a surface (108) that can be moved relative to the print head (2), a dosing device being provided for dosing the quantity of material discharged (cf. claim 1, "means for metering the discharge").

Consequently, the device disclosed in D1 is suitable for and readily able to produce stamps or printing plates according to claim 15.

Therefore, the subject matter of independent claim 15 differs from D1 only in that the substrate, rather than the print head, is movable.

This feature does not lead to any inventive input, since the movement of a print head or a substrate is functionally equivalent and can be selected by a person skilled in the art as needed (cf. DE-A-19931112; column 4, line 67 to column 5, line 2).

Therefore, the subject matter of independent claim 15 does not involve an inventive step.

The same applies to dependent claims 16-20.

D1 also discloses a heating device (84) in the print head, a readjustable cooling device (150), and a connecting point for connecting the printing device to an arithmetic unit (cf. figure 1), which directly renders claims 16, 18 and 20 obvious.

Claims 17 and 19 also fail to go beyond that which a person skilled in the art considers to be standard practice.

3. The expression "or the like" used in the description in conjunction with the stamp and printing plate leads to a lack of clarity in the scope of protection sought and therefore does not meet the requirements of PCT Article 6.